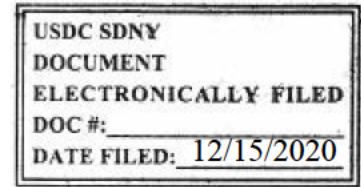


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December 11, 2020



The Honorable Allison J. Nathan
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

***Re: 1:20-cv-06596-AJN, Plaintiff's Request to Adjourn the Initial Pretrial Conference
Scheduled for December 18, 2020 at 3:15 PM***

Dear Judge Nathan,

The James Law Firm, PLLC represents Plaintiff in the above captioned matter. This matter has been filed as a John Doe against the internet subscriber assigned IP address 71.125.43.236. Plaintiff respectfully requests an adjournment of the initial pretrial conference currently scheduled for December 18, 2020 at 3:15 p.m. and for the resetting of all proposed scheduling deadlines until after the Defendant is named and served.

On August 18, 2020, Plaintiff filed the instant case against John Doe subscriber assigned IP address 71.105.204.101 claiming Defendant's direct infringement of Plaintiff's works through BitTorrent protocol [CM/ECF 1].

On August 28, 2020, Plaintiff filed a Motion for Leave to Serve a Third-Party Subpoena Prior to a Rule 26(f) Conference ("Motion") in order to serve a third-party subpoena on Defendant's ISP. [CM/ECF 6]. Plaintiff's Motion is currently pending before the Court.

On September 2, 2020, the Initial Pretrial Conference was scheduled for November 20, 2020 at 3:00 p.m. [CM/ECF 8].

On November 11, 2020, by Order of the Court, the Initial Pretrial Conference was adjourned from November 20, 2020 to December 18, 2020 at 3:15 p.m. [CM/ECF 9].

Without permission to serve a subpoena on Defendant's ISP, Plaintiff cannot learn Defendant's identity. Prior to the conference, the parties are required to confer and submit to the Court a proposed Case Management Plan and Scheduling Order. Because Defendant has not yet been identified and served, and Plaintiff does not currently have an adversary to this action, Plaintiff is unable to anticipate the specific information required in the proposed Case

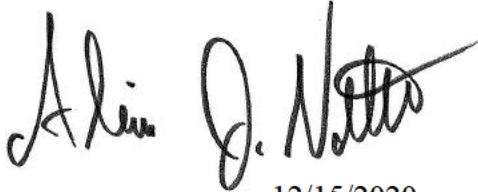
Management Plan and Scheduling Order, including issues such as timing, electronic discovery, or even whether Plaintiff will ultimately proceed against Defendant.

For the foregoing reasons, Plaintiff respectfully requests for an adjournment of the initial pretrial conference currently scheduled for December 18, 2020 at 3:15 p.m. until after the Defendant has been served with the summons and Amended Complaint.

Respectfully Submitted,

By: /s/Jacqueline M. James
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The initial pretrial conference scheduled for December 18, 2020, is adjourned to February 26, 2021, at 3:15 p.m. SO ORDERED.
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 SO ORDERED. 12/15/2020 ALISON J. NATHAN, U.S.D.J.
